

## THE CITY OF CLAYTON

Board of Aldermen  
City Hall – 10 N. Bemiston Avenue  
January 28, 2014  
7:00 p.m.

### Minutes

Mayor Sanger called the meeting to order and requested a roll call. The following individuals were in attendance:

Aldermen: Michelle Harris, Andrea Maddox-Dallas, Cynthia Garnholz, Mark Winings, Joanne Boulton, and Alex Berger III.

Mayor Sanger  
City Manager Owens  
City Attorney O'Keefe (arrived at 7:10 p.m.)

### PUBLIC REQUESTS AND PETITIONS

None

### ORDINANCE – AMENDING CHAPTER 210 ANIMAL REGULATIONS, SECTION 210.340, DANGEROUS ANIMALS GENERALLY

City Manager Owens reported that this is a modification of the ordinance relating to dangerous animals. This issue has been recently discussed and recommendation was to remove the references to certain breeds and also the breed specific language that existed. Due to some suggestions by Alderman Garnholz a revised draft was distributed earlier and is before the Board tonight. Recommendation is to consider the revised ordinance.

**Alderman Harris moved to approve the revisions to Bill No. 6429 and recognize as Bill No. 6429.1. Alderman Maddox-Dallas seconded.**

**Alderman Harris introduced Bill No. 6429.1, to approve an amendment to Section 210.340, Dangerous Animals, to be read for the first time by title only. Alderman Maddox-Dallas seconded.**

**City Attorney O'Keefe reads Bill No. 6429.1, an Ordinance Amending Section 210.340 of the Clayton City Code Relating to Dangerous Animals for the first time by title only.**

**The motion passed unanimously on a voice vote.**

**Alderman Harris introduced Bill No. 6429.1, to approve an amendment to Section 210.340, Dangerous Animals, to be read for the second time by title only. Alderman Maddox-Dallas seconded.**

Ms. Kelly Backes, resident, thanked the Board and expressed her appreciation for taking this issue into consideration.

**City Attorney O’Keefe reads Bill No. 6429.1 for the second time; Alderman Harris – Aye; Alderman Maddox-Dallas – Aye; Alderman Garnholz – Aye; Alderman Winings – Aye; Alderman Boulton – Aye; Alderman Berger – Aye; and Mayor Sanger – Aye. The Bill was adopted and became Ordinance No. 6305 of the City of Clayton.**

Alderman Maddox-Dallas thanked Ms. Backes and the audience for bringing this issue to the Board’s attention. She noted that it is always good to hear suggestions and concerns from the citizens.

Mayor Sanger thanked Ms. Backes and the audience and said that it is really good to hear (and listen) to the citizens input on community issues.

**AN ORDINANCE TO CONSIDER APPROVINIG AMENDMENTS TO THE PROPERTY MAINTENANCE CODES RELATING TO RENTAL HOUSING REGISTRATION BY ADDING NEW SECTION 111**

Mayor Sanger announced that the Board would not be voting on this ordinance tonight. There has been quite a bit of input, but tonight they would like to hear from the property owners on their suggestions and concerns.

**Alderman Harris introduced Bill No. 6430, an amendment to Section 500.040, Property Maintenance Code to be tabled and voted on at a later time. Alderman Maddox-Dallas seconded.**

**The motion passed unanimously on a voice vote.**

Mr. Joe Wotka, 640 W. Polo, addressed the Board stating that he owns properties in the Moorlands and the DeMun area. He said that he received a mailing last Thursday regarding the proposed amendments, pointing out that the mailing reference two bills but there is only one on the agenda. He said that approximately 20 years ago he was appointed to the City’s Housing Council and that the group reviewed and worked on recommendations that created the current ordinance. He said that at that time they thoroughly reviewed and took everything into consideration which resulted in the decision to not include rental inspections as part of the Property Maintenance Code. He said that rental tenants complete an occupancy permit and provides the pertinent information that is needed and maintained on record with the City and asked why the information that has been collected has not been formed into a database already. He asked what more is needed, a rental inspection and registration is overkill. He noted that what concerns him most is that the means of appeal section of the ordinance has been entirely eliminated from the proposed ordinance. He feels that this is disrespectful to the citizens and to the community if a property owner wants to contest a decision.

Mayor Sanger gave a brief history on why this issue was brought before the Board. He explained that there are two proposed bills, but due to a communication error only one bill was placed on tonight’s agenda. He said that the housing stock has aged with the exception of the in-fills. While some owners have some 1930 homes that have been updated continuously over the years, unfortunately there are some property owners who have not updated properties, some have moved, and have decided to collect income by renting out those properties. What the City has discovered incidentally, there are some unsafe conditions in some of the single-family homes because of lack of inspections. The City has no intention of doing a single-family home occupancy permit program, but the City has run into circumstance where a rental house has run afoul of inspections and the owner is unable to be located. He clarified that what they are hearing tonight from property owners

is that the proposed changes should not apply to the multi-family buildings. He said that there is no rush on the decision, but that the City wants to hear discussion, suggestions and input before bringing the proposal back before the Board.

Mr. Steve Barron, former Clayton resident, commercial property owner addressed the Board stating that he also served on the Housing Council 20 years ago and he feels there should be inspections on single family rentals as well as duplexes and that they should not be excluded. He also expressed his disappointment of the timing of the proposed amendments. He said that the property owners were not notified in a timely manner and felt that this was disrespectful to the Realtor's Association Group. He urged that the Board give the group an opportunity to be heard before the changes are considered.

Mr. Julian Hess, 7246 Wydown, addressed the Board stating that he agrees with Mr. Wotka and Mr. Barron on their comments. He said that if the City imposes the fees than it will cause the property owners additional expenses which will then reduce the amount of money available for ongoing maintenance of the properties.

Mr. Michael Wotka, property owner, addressed the Board with respect to the added responsibilities for inspectors, especially due to the staff shortage.

Mayor Sanger stressed that the City has no intent to be disrespectful to the Realtor's Association Group and stated that they are a very important part of Clayton. He said that the Board and the City is here to listen to their concerns, they will have conversations and will do what is right for the community.

Alderman Harris commented that she agrees with Mayor Sanger and said that the Board is glad to get their input which is very important to make a right decision.

#### Other

Alderman Harris reported that she attended the Winter Classic Hockey Extravaganza Event at the ice rink over the weekend. It was very well attended and a very exciting event.

Alderman Maddox-Dallas reported that the CRSWC met last week. The group has decided to work with the Clayton Historical Society to possibly use the vacant space, formerly the coffee kiosk, at The Center of Clayton.

Mayor Sanger reported that he attended the Chamber of Commerce Power Hour event, Mr. Bill DeWitt spoke and gave an update on the Ballpark Village project.

Mr. Wotka commended the City staff on a job well done in removing the snow during the last storm.

There being no further business the meeting was adjourned at 7:35 p.m.

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Mayor

ATTEST:

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City Clerk